

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA,

PLAINTIFF,

v.

**GEORGE HOEY MORRIS,
DEFENDANT.**

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* **CASE NO. 2:06cr00218-MHT-WC-1**

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MOTION TO CONTINUE SENTENCING (RECONSIDERATION)

COMES NOW, Susan G. James, newly retained attorney for George Hoey Morris and files this reconsideration motion for a continuance of the presently set sentencing on January 18, 2007 and in support thereof states the following:

1. Morris is due to be sentenced on January 18, 2007. Counsel filed a motion to continue which was denied.
2. The Government did not oppose the continuance. However, AUSA Redmond did request that the Court set a new deadline for presentence report objections and the probation conference.
3. The Court's reason for the denial was that counsel had sufficient time since December 15, 2006 to become familiar with the record in this case. Counsel was away from work the majority of the time from December 20, 2006 until January 4, 2007. Further, on Christmas Eve a close family friend was killed in an automobile accident and the funeral was the following week.
4. Since returning to work counsel has had numerous court appearances in and out of Montgomery that have prevented devotion of full attention to the Morris case.
5. In preparing for the sentencing, after visiting with Morris on January 10, 2007, and

reviewing the presentence reports, it is obvious the court and the defense would benefit from current psychological data. As noted in Morris' presentence report he is 100% disabled based on Post Traumatic Stress Disorder. This condition could have, but was not used as a defense at trial, and also could be used as mitigation at sentencing.

6. The very nature of the crimes of conviction warrant psychological testing and evaluation.

7. Wherefore the undersigned respectfully requests that this Court reconsider denial of the motion to continue sentencing and that the matter be continued until some time in February.

8. Contact has been made with Dr. Daniel Koch, a Mobile Psychologist, and this can be accomplished no later than the February 13, 2007 sentencing before Judge Coogler.

Respectfully submitted,

s/Susan G. James
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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Susan Redmond
Assistant United States Attorney
P.O. Box 197
Montgomery, Alabama, 36101

Respectfully submitted,

s/Susan G. James
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